

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ANTHONY LEROY LATTIMER,
Plaintiff,
vs.
BRAD LIVINGTON, *et al.*,
Defendants.

NO. CV-08-312-JPH

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND TRANSFERRING
ACTION TO EASTERN DISTRICT OF
TEXAS, TYLER DIVISION**

Magistrate Judge James P. Hutton filed a Report and Recommendation on October 14, 2008, recommending that Plaintiff Anthony Leroy Lattimer's action be transferred to the Eastern District of Texas. There being no objections, the Court **ADOPTS IN ITS ENTIRETY** the Report and Recommendation and directs this action be transferred to the United States District Court for the Eastern District of Texas, Tyler Division, pursuant to 28 U.S.C. §§ 1391 and 1406.

IT IS SO ORDERED. The District Court Executive shall enter this Order, send a copy of this Order to Plaintiff, and forward the file, along with a copy of this Order to the Clerk of Court, United States District Court for the Eastern District of Texas, Tyler Division, and close the file. The Court notes that no determination was made regarding *in forma pauperis* status.

1 **DATED** this 4th day of November 2008.

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3 S/ Edward F. Shea

4 EDWARD F. SHEA

5 UNITED STATES DISTRICT JUDGE

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